

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERIPRISE FINANCIAL, INC.,

Plaintiff,

- against -

OPPENHEIMERFUND
DISTRIBUTOR, INC.

Defendant.

Case No.: 07-cv-8451 (LAK)

ECF Case

**NOTICE OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***


PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District
Courts for the Southern and Eastern Districts of New York, I, Jeanne M. Heffernan, a member in
good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac*
vice of:

Barry F. Irwin, P.C.
Kirkland & Ellis LLP
200 East Randolph Drive
Chicago, Illinois 60601
Tel: (312) 861-2000
Fax: (312) 861-2200

Barry F. Irwin, P.C., is a member in good standing of the Bar of the States of
Illinois and Nevada and the District of Columbia. There are no pending disciplinary proceedings
against Barry F. Irwin, P.C., in any State or Federal court.

Dated: 10/04/07

New York, New York


Jeanne M. Heffernan (JH 5708)

KIRKLAND & ELLIS LLP
Citigroup Center
153 East 53rd Street
New York, New York 10022-4611
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

Attorneys for Ameriprise Financial, Inc.,
Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**AFFIDAVIT OF JEANNE M. HEFFERNAN
IN SUPPORT OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

STATE OF NEW YORK)
)
COUNTY OF NEW YORK) ss.:


Jeanne M. Heffernan, being duly sworn, hereby deposes and says as follows:

1. I am an attorney at Kirkland & Ellis LLP, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Barry F. Irwin, P.C., as counsel *pro hac vice* to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in February 2003. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Mr. Irwin since 2001.
4. Mr. Irwin is an attorney at Kirkland & Ellis LLP, located at 200 East Randolph Drive in Chicago, Illinois.
5. I have found Mr. Irwin to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Mr. Irwin, *pro hac vice*.
7. I respectfully submit a proposed order gaining the admission of Mr. Irwin, *pro hac vice*, which is attached hereto as Exhibit A.


WHEREFORE it is respectfully requested that the motion to admit Barry F. Irwin, P.C., *pro hac vice*, to represent Plaintiff in the above captioned matter, be granted.

Dated: 10/04/07
New York, New York

Respectfully submitted,


Jeanne M. Heffernan (JH 5708)

Sworn to before me the 4th
day of October, 2007.


REGINA M. SARNICOLA
Notary Public, State of New York
No. 01SA5026825
Qualified in Nassau County
Commission Expires April 25, 2010

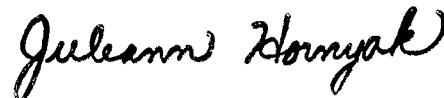
Certificate of Admission To the Bar of Illinois

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Barry F. Irwin

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 5, 1992 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto
placed my hand and affixed the seal
of said Supreme Court, at Springfield,
in said State, this Wednesday, September 05, 2007.

A handwritten signature in black ink, reading "Juleann Hornyak". The signature is written in a cursive, flowing style.

Clerk

State Bar of Nevada

Certificate of Good Standing

IT IS HEREBY CERTIFIED that **Barry F. Irwin**

(Bar Number 9068) was admitted by the Supreme Court of the State of Nevada

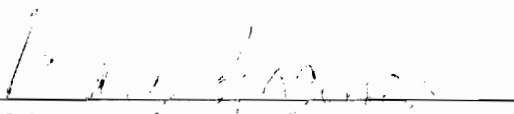
on 01/07/2005 and is an **ACTIVE** member of the State Bar of Nevada

in good standing and is duly licensed to practice law as an Attorney and Counselor

at Law in all courts of the State of Nevada.

DATED this Thursday, September 06, 2007.




Mary Jorgensen
Member Services Coordinator
State Bar of Nevada

CERTIFICATE OF SERVICE

I hereby certify that, on October 4, 2007, a copy of the foregoing Notice of Motion to Admit Counsel *Pro Hac Vice* was served by the method indicated upon the following:

- ☒ First Class Mail
- ☐ Facsimile Transmission
- ☐ Overnight Courier Service
- ☐ Electronic Mail
- ☐ Hand Delivery

OppenheimerFunds Distributor, Inc.
c/o CT Corporation System
111 Eighth Avenue
New York, NY 10011
as Agent for Defendant

Dated: 10/4/07



Gwen Brons